

HUDSON
35684-121701



ROANOKE CITY COUNCIL
REGULAR SESSION

December 17, 2001
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. (All present)

The Invocation was delivered by The Reverend Dr. James W. Austin, Senior Pastor, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, December 20, 2001, at 7:00 p.m., and Saturday, December 22, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A Resolution paying tribute to R. Matthew Kennell upon his resignation as President of Downtown Roanoke Inc., effective December 21, 2001, and expressing to him the appreciation of this City and its people for his exemplary service.

Adopted Resolution No. 35684-121701. (7-0)

File #80-277

Proclamation declaring Saturday, December 8, 2001, as Roanoke Allstars - 1951 Santa Claus Bowl Reunion Day.

Dean Price, representing the Roanoke All-Stars - 1951 National Midget Football Champions, offered to work with the City in connection with the donation and display of trophies and wearing apparel from the 1951 championship game.

File #3

3. CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Council held on Thursday, October 18, 2001, recessed until October 19, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.

File #110-132

- C-3 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss a personnel matter, specifically to conduct an interview for an appointment to the Industrial Development Authority of the City of Roanoke, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.

File #110-132

- C-4 A communication from Council Member C. Nelson Harris, Chair, Roanoke City Council Personnel Committee, requesting that Council meet in Closed Session to discuss appointment of a new Director of Finance, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.

File #1-110-132

- C-5 Minutes of the Roanoke City Council Audit Committee meeting held on December 3, 2001.

RECOMMENDED ACTION: Receive and file.

File #300

- C-6 Minutes of the Greater Roanoke Transit Company Audit Committee meeting held on December 3, 2001.

RECOMMENDED ACTION: Receive and file

File #55-300

- C-7 A communication from the Director of Finance tendering his resignation as a Commissioner of the Hotel Roanoke Conference Center Commission, effective January 31, 2002.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #1-110-247

- C-8 A communication from the City Clerk advising of the resignation of Eugene Wirt, Jr., as a member of the Roanoke Public Library Board, effective immediately.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #110-323

- C-9 A communication from Gilbert E. Butler, Jr., Secretary, Roanoke City Electoral Board, transmitting an Abstract of Votes cast in the General Election held in the City of Roanoke on November 6, 2001.

RECOMMENDED ACTION: Receive and file.

File #40

- C-10 Qualification of the following persons:

Charles W. Hancock, Jr., as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2002; and

Philip H. Lemon as a member of the Board of Zoning Appeals to fill the unexpired term of J. Clayton Grogan, resigned, ending December 31, 2003.

RECOMMENDED ACTION: Receive and file.

File #15-51-110-488

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of Blue Ridge Behavioral Healthcare to present information on services provided to Roanoke City residents during fiscal year 2001. William L. Lee, Chair.

Received and filed.

File #314-335

- b. Request of Downtown Roanoke, Inc., to present its Annual Report. Don J. Harrison, Chair.

Received and filed.

File #109-277

- c. Request to present certain concerns of residents of Lincoln Terrace. Dr. E. Jeanette D. Manns, President, Washington Park Neighborhood Alliance.

On behalf of residents of the Lincoln Terrace community, Ms. Bessie Bond requested storm doors, storm windows, and clothes lines for housing units.

The matter was referred to the City Manager for discussion with the Executive Director of the City of Roanoke Redevelopment and Housing Authority.

File #66-178

- d. A communication from Council Member William D. Bestpitch, Council Liaison, Roanoke Neighborhood Partnership Steering Committee, with regard to a review of the design, role and responsibilities of the Neighborhood Partnership Steering Committee.

Council concurred in the appointment of a committee composed of two members of City Council, two members of the City staff, and three members of the current Roanoke Neighborhood Partnership Steering Committee.

Council Member Bestpitch requested that the following questions raised by Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., be referred to the City Manager for response.

Are members of the Roanoke Neighborhood Partnership Steering Committee considered to be employees of the City of Roanoke?

If so, would the City's hiring policy be applicable to those persons?

How has the role of the Neighborhood Partnership Coordinator been expanded?

Will the recommendation of the Study Committee be reported publicly prior to implementation by the City?

File #110-488

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS:

1. Citizen Survey briefing. (20 minutes)
Received and filed.
File #175
2. Fire/EMS ISO Rating Change briefing. (20 minutes)
Received and filed.
File #70-354

ITEMS RECOMMENDED FOR ACTION:

3. A communication with regard to the Fire-EMS Strategic Plan.

**Adopted Resolution No. 35687-121701. (5-2, Council Members Hudson and Wyatt voting no.)
File #70-354**

4. A communication recommending reauthorization of the Emergency Operations Plan for the City of Roanoke.

**Adopted Resolution No. 35688-121701. (5-2, Council Members Hudson and Wyatt voting no.)
File #70-188**

5. A communication recommending acceptance of a grant award from the Virginia Department of Social Services under the Temporary Assistance for Needy Families Hard-to-Serve project for fiscal years 2001 and 2002, in the amount of \$473,411.00; and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 35689-121701 and Resolution No. 35690-121701. (7-0)
File #60-72-236**

6. A communication recommending acceptance of the donation of property identified as Official Tax No. 3070318, in connection with the Stadium/Amphitheater facility, from Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton.

**Adopted Ordinance No. 35691-121701. (7-0)
File #2-68-122**

7. A communication recommending acceptance of the bid submitted by Tennant Sales and Service Co., for procurement of a street sweeper for the Streets and Traffic Division, in the amount of \$109,750.00; and appropriation and transfer of funds in connection therewith.

**Adopted Resolution No. 35692-121701. (7-0)
File #183-472-514**

b. CITY ATTORNEY:

1. A report with regard to a public assembly ordinance.

**Adopted Ordinance No. 35693-121701. (6-0, Council Member White was out of the Council Chamber.)
File #24-552**

7. REPORTS OF COMMITTEES:

- a. A report of the City Planning Commission recommending naming a new park in the Washington Park neighborhood on Shadeland Avenue, N. W., the Brown-Robertson Park. D. Kent Chrisman, Chair, City Planning Commission.

**Adopted Resolution No. 35694-121701. (6-0, Council Member White was out of the Council Chamber.)
File #67-110-200**

- b. A communication from the Roanoke City School Board requesting appropriation of funds to certain school accounts; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 35695-121701. (6-0, Council Member White was out of the Council Chamber.)
File #60-467**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Bestpitch advised that pursuant to the new rules of procedure for speaking at City Council meetings, no person who wishes to speak at a Council meeting has been denied the right to do so.

File #132

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

The City Manager clarified that there will be a consolidated fire station in the northwest section of the City as a result of the merger of Fire Stations Five and Nine, and the third phase of the Fire/EMS business plan calls for a new station on Williamson Road to address what is believed to be definite needs over the next five to seven years.

File #70

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that the location and proposed parking for the Gainsboro Parking Garage was initially set forth by the Roanoke Neighborhood Development Corporation; however, the next time the parking garage issue was discussed, the parking garage was to be owned and operated by the City of Roanoke.

File #165-539

She called attention to continuing problems relative to the street placement of the City's "big blue" refuse containers, and advised that certain problems have not been resolved.

In reference to the closing of fire stations, she stated that some neighborhood groups have been promised the fire station that is proposed for closure as a neighborhood house.

File #70-165

In regard to the public assembly ordinance previously adopted by Council, she stated that all entities should be notified when a street is to be closed.

In reference to the new citizen participation proposal at City Council meetings, she stated that groups and organizations are given the opportunity to make formal presentations to Council under Item 5, Petitions and Communications; however, she inquired if there is a method currently in place by which a citizen who is not a member of a group or organization may address Council under agenda Item 5, Petitions and Communications.

File #66-70-132-144-165-175-552

Ms. Helen E. Davis, 35 Patton Avenue, N. E., addressed the Fire/EMS business plan and suggested that the Virginia Department of Fire Programs be invited to conduct an evaluation of the Roanoke City Fire Department.

She questioned the rule of Council that prohibits applauding during City Council meetings, except as a part of ceremonial matters, and advised that enforcement of the rule should be applied consistently to all persons appearing before Council.

File #66-70-354

THE MEETING OF COUNCIL WAS DECLARED IN RECESS AT 5:15 P.M. TO BE RECONVENED AT 5:30 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE CITY SCHOOL BOARD.

**FOLLOWING THE JOINT SESSION WITH THE SCHOOL BOARD,
THE ROANOKE CITY COUNCIL MEETING WAS DECLARED IN
RECESS AT 6:35 P.M., TO BE RECONVENED AT 7:00 P.M., IN THE
CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR
MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***December 17, 2001
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call. (All present)

The Invocation was delivered by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

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PRESENTATIONS AND ACKNOWLEDGMENTS:

Recognition of citizens.

Adopted Resolution No. 35685-121701. (7-0)

File #5-80

Adopted Resolution No. 35686-121701. (7-0)

File #5-80

A. PUBLIC HEARINGS:

1. Public hearing on the request of Vaughn & Jamison, LLC, to rezone three tracts of land located at the intersection of Route 419 and Keagy Road, S. W., identified as Official Tax Nos. 5130119, 5130121 and 5130122 containing 1.117 acre and 2.948 acres, from RS-1, Residential Single-Family District, to CN, Neighborhood Commercial District, and RPUD, Residential Planned Unit Development District, subject to certain conditions proffered by the petitioner. Maryellen F. Goodlatte, Attorney, Spokesperson.

Adopted Ordinance No. 35696-121701. (7-0)

File #51

2. Public hearing on a proposed amendment of Section 36.1-25, Definitions, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to amend the definition of tow truck operation to facilitate in the proper classification and location of such uses and to assist in code enforcement activities pertaining to such uses. D. Kent Chrisman, Chair, City Planning Commission. (The City Planning Commission has requested that the matter be referred back to the Planning Commission for further consideration.)

The matter was referred back to the City Planning Commission for further consideration.

File #24-51-530

3. Public hearing on a proposal of the City of Roanoke to convey City-owned property identified as Official Tax No. 2760603, commonly known as 4037 Vermont Avenue, N. W., on which a drainage ditch is constructed to protect adjacent properties from stormwater runoff and retaining appropriate easements or rights-of-way to maintain the drainage ditch, to the adjacent property owner, Paul L. Honaker, thereby relieving the City of Roanoke of the cost of maintaining the property and returning same to the tax base. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 35697-121701. (7-0)
File #27-28-166

4. Public hearing on a proposal of the City of Roanoke to lease a portion of City-owned property located at Victory Stadium to Carilion Medical Center, to provide up to a maximum of 300 parking spaces. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 35698-121701. (7-0)
File #122-166-221-373

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

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Dr. E. T. Burton, 1640 Flora Lane, N. W., expressed appreciation upon receiving the honor of Roanoke's 2001 Citizen of the Year.
File #496

Mr. W. A. Drewery, 844 Dillon Drive, Vinton, Virginia, retired Roanoke City Fire Fighter, addressed Council in connection with his retirement package, mismanagement of the Fire Department and certain other City departments.
File #66-70-429

Mr. Chris Craft, 1501 East Gate Avenue, N. E., called attention to a dangerous curve in the vicinity of King Street, N. E., adjacent to the Parkway Wesleyan Church. He also referred to the corner of 20th Street and Orange Avenue and advised that the business establishment at that location has requested an adjustment to the location of the median to enable vehicles traveling Route 460 in the direction of the City of Salem to have access to its parking lot. He requested that the matters be referred to the City Manager for investigation.

File#20-66-514

Mr. Robert Gravely, 617 Hanover Avenue, N. W., addressed issues in connection with neglect of the City's infrastructure in the inner City communities, inadequate wages for the City work force, mismanagement of certain City departments, neglect of citizen needs, crime in the City of Roanoke, improper housing for Roanoke's disadvantaged population, and lack of services for senior citizens.

File #5-66-178-184

At 7:50 p.m., the meeting was declared in recess for three closed sessions.

CERTIFICATION OF CLOSED SESSION. (4-0, Council Members Hudson, Wyatt and White were out of the Council Chamber.)

Charles E. Hunter, III, was appointed as a member of the Industrial Development Authority of the City of Roanoke to fill the unexpired term of Thomas Pettigrew, resigned, ending October 20, 2004.

File #15-110-207